

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 22 2008

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 61-7208					
PD 61-7312					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	<u>Lance D Funk & Lisa I Funk</u>
4. New Owner/Claimant(s)	<u>Marty Goldsmith</u>
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>4487 N Dresden Pl #102</u>
City, State and ZIP Code	<u>Boise, Id 83714</u>
New Telephone Number	<u>(208) 388-0189</u>

Notice of Change in Water Right Ownership - Form, Page 1 of 2

SUPPORT DATA

IN FILE # 61-7208

5. Date you acquired the property

10/21/08

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Marty Johnson

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

 Received by [Signature]
 Received by [Signature]
 Processed by [Signature] AJ

 Date 10-22-08
 Date 10-22-08
 Date _____

Receipt Amt.

50.00

Receipt No.

W037001

Wt.

[Signature]

Date

10-23-08

WARRANTY DEED

FOR VALUE RECEIVED, Lance D. Funk and Lisa I. Funk, husband and wife ("**Grantors**"), do hereby grant, bargain, sell and convey unto Marty Goldsmith, a single man ("**Grantee**"), whose current address is 4487 N. Dresden Pl., Ste. 102, Boise, Idaho 83714, the following described premises, to-wit: the north half of Section 36, Township 4 South, Range 5 E, Boise Meridian, Elmore County, State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered, or done by the Grantee; and subject to reservations, restrictions, dedications, easements, rights-of-way of record or visible on the premises and general taxes and assessments for the current year, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 24TH day of August, 2007

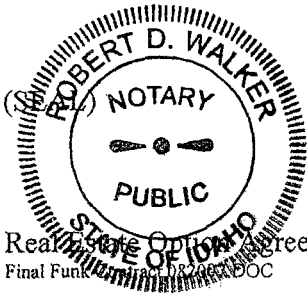
Lance D. Funk

Lisa R. Funk

STATE OF IDAHO,)
) ss.
County of ~~Ada~~ Power)

On this 24TH day of AUGUST, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Lance D. Funk and Lisa I. funk, known and identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho

Residing at IDAHO FALLS, Idaho

Commission expires: 10-29-2011

FORM OF WATER RIGHTS DEED

When Recorded Return To:

Marty Goldsmith
4487 N. Dresden Pl., Ste. 102
Boise, Idaho 83714

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Lance D. Funk and Lisa I. Funk, husband and wife, whose address is: 3853 Raft Road American Falls, Id 83211 (collectively "**Grantor**"), does hereby grant, bargain, sell, assign and convey unto Marty Goldsmith, whose address is 4487 N. Dresden Pl., Ste. 102, Boise, Idaho 83714 ("**Grantee**"), and to Grantee's heirs, successors and assigns forever, Water Right No. 61-7208 and Water Right No. 61-7312 that is appurtenant to the North Half of Section 36, Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho ("**Water Rights**").

Grantor assigns to Seller any other interest it may have in the Water Rights including any claim, permit, or license evidencing, claiming, or representing such Water Rights.

Grantor retains no residual or reversionary interest in any of the Water Rights.

Grantor hereby covenants and warrants to Grantee as follows:

- (A) That Grantor is the owner in fee simple of the Water Rights;
- (B) That Grantor has not conveyed any of the Water Rights to anyone other than the Grantee;
- (C) That each of the Water Rights is free from all liens, claims, or encumbrances;
- (D) That Grantor has the authority to convey the Water Rights to Grantee;

